



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steven B. Landau, Cheryl L. Miller and Karl B. Thor

Application No.: 10/757,981 Group: 1614

Filed: January 13, 2004 Examiner: M. Graffeo

Confirmation No.: 4256

For: METHOD OF TREATING NAUSEA, VOMITING, RETCHING OR ANY
COMBINATION THEREOF

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
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REPLY TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement dated January 24, 2006, the claims of Group I (Claims 1-21) drawn to a method of treating nausea, vomiting, retching or any combination thereof comprising a compound of the Formula I are elected for prosecution. Applicant reserves the right to file a continuing application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicant does not hereby abandon or waive any rights in the non-elected inventions.

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Responsive to the requirement for an election of species for searching purposes,
Applicant hereby elects as the species structural Formula II, wherein for Formula I R is CH₃, R₂-
R₅ are H and Ar is a 2-fluorophenyl substituent. Claims readable on the elected species are 1-11
and 16-21.

Respectfully submitted,

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